

REMARKS

Applicants have filed a Request for Continued Examination to put the claims in better form, and hopefully eliminate the need for an appeal.

Applicants have cancelled claims 71-78 without prejudice to presenting these claims in a divisional application. Applicants have amended claims 17 and 34 to delete the phrase "at least 77% IACS", thereby mooting any objection thereto. Applicants have deleted "from 0.005% to 0.3% of silver" from claim 18, thereby mooting any objection thereto.

REJECTION UNDER 35 U.S.C. § 103

Claims 17-54 and 79-81 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Caron et al. (U.S. Pat. No. 5,370,840) in view of JP 59-193233. The Office action states that Caron discloses the "processing steps (col. 7, line 10 to col. 9, line 22)". This is not correct. Claims 17 and 34 (and the claims depending therefrom) each require annealing said copper alloy in a first age anneal at a temperature of from 350°C to 900°C for from 1 minute to 10 hours; and annealing said copper alloy in a second age anneal at a temperature of from 300°C to 450°C for from one hour to twenty hours." Caron only teaches a single stage age anneal, not the claimed two stage age anneal. For example in conjunction with Fig. 5, Caron states that there is an age anneal 26, which is conducted at between 350° C and 600° C for between 15 minutes and 16 hours, and more preferably between 425° C and 525° C for between 1 hour and 8 hours. See Caron, col. 8, lines 1-7. There is no teaching or suggestion of a second stage of age annealing, nor would a person of ordinary skill in the art have any reason to believe there was anything to be gained by a second age anneal.

In discussion Fig. 6, Caron does disclose two separate age anneals 26 and 40, but each is preceded by, and succeeded by, a cold roll step. This embodiment actually teaches away from a two stage age anneal in which the second stage follows the first without any intervening cold roll step.

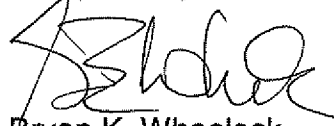
Applicant explain that step aging is preferred, and explain why in Paragraph 0089 of the instant application: "It has been found that step aging results in higher strength and electrical conductivity and it is believed that the bend formability may also be improved by the step aging."

There is no teaching in the cited references of the claimed two stage age anneal, no disclosure of its benefits or of anything else that would make it obvious to a person of ordinary skill in the art to subject an alloy to the claimed two stage age anneal, particularly without any intervening steps. For at least these reasons, applicants respectfully submit that claims 17-54 and 79-81 would not have been obvious from Caron et al in view of JP 59-193233. For at least this reason, applicants respectfully request that the rejection be withdrawn.

CONCLUSION

It is believed that a full and complete response has been made to the Office Action of January 2, 2008, and that the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (314) 726-7505.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Bryan K. Wheelock', written over the printed name.

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